

**EXHIBIT 13**

**From:** [Richard Xia](#)  
**To:** [Colorado, Christopher](#)  
**Cc:** [Matthew Aaron Ford](#); [Renee Jarusinsky](#); [Adam Ford](#); [Stoelting, David](#); [Han, Kim](#)  
**Subject:** Request for Additional Time to Review the New Agreement  
**Date:** Tuesday, April 2, 2024 3:18:10 PM  
**Attachments:** [image001.png](#)

---

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Dear Chris,

I hope this message finds you well.

I wanted to address the recent email from Adam regarding the new agreement. Unfortunately, I have been traveling extensively and, as a result, overlooked Adam's email.

Consequently, I was not aware of this new agreement until March 28. Given this situation, I kindly request additional time to thoroughly review the document before proceeding with a signature. It is important to me to fully understand all aspects of the agreement.

Could we possibly extend the deadline to the end of this month for signing the agreement? This would allow me sufficient time to conduct a comprehensive review and address any queries or concerns I might have.

Thank you for your understanding and consideration. I look forward to your response.

Best regards,

Richard

On Tue, Apr 2, 2024 at 5:54 PM Adam Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)> wrote:

----- Forwarded message -----

From: **Colorado, Christopher** <[coloradoch@sec.gov](mailto:coloradoch@sec.gov)>  
Date: Tue, Apr 2, 2024 at 9:37 AM  
Subject: RE: SEC v. Xia - FRE 408 - Revision to Proposed Judgment  
To: Adam Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)>  
Cc: Matthew Aaron Ford <[mford@fordobrien.com](mailto:mford@fordobrien.com)>, Renee Jarusinsky <[rjarusinsky@fordobrien.com](mailto:rjarusinsky@fordobrien.com)>, Stoelting, David <[StoeltingD@sec.gov](mailto:StoeltingD@sec.gov)>, Han, Kim <[hanki@sec.gov](mailto:hanki@sec.gov)>

Adam: Richard has now had the proposed amendment for nearly a month. We wanted an answer on that proposal weeks ago, and asked for a firm agreement and a signed consent by no later than yesterday. We have not received either. We told you and Renee that we hoped to avoid burdening the Court with a discovery dispute, if possible, but, at this point and given the silence on the settlement, we need to seek relief for the non-compliance by Xia and Fleet (and Verfenstein, Racanelli, and Perini) with the Court's discovery orders. We intend to do so later today.

If you'd like to discuss, let us know.

Thanks.

---

**From:** Colorado, Christopher  
**Sent:** Monday, April 1, 2024 11:37 AM  
**To:** Adam Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)>  
**Cc:** Matthew Aaron Ford <[mford@fordobrien.com](mailto:mford@fordobrien.com)>; Renee Jarusinsky <[rjarusinsky@fordobrien.com](mailto:rjarusinsky@fordobrien.com)>; Stoelting, David <[StoeltingD@SEC.GOV](mailto:StoeltingD@SEC.GOV)>; Han, Kim <[hanki@SEC.GOV](mailto:hanki@SEC.GOV)>  
**Subject:** RE: SEC v. Xia - FRE 408 - Revision to Proposed Judgment

Adam: Will we be receiving Richard's agreement to the amendments and a signed consent today? Thanks.

---

**From:** Adam Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)>  
**Sent:** Friday, March 29, 2024 1:52 PM  
**To:** Colorado, Christopher <[coloradoch@SEC.GOV](mailto:coloradoch@SEC.GOV)>  
**Cc:** Matthew Aaron Ford <[mford@fordobrien.com](mailto:mford@fordobrien.com)>; Renee Jarusinsky <[rjarusinsky@fordobrien.com](mailto:rjarusinsky@fordobrien.com)>; Stoelting, David <[StoeltingD@SEC.GOV](mailto:StoeltingD@SEC.GOV)>; Han, Kim <[hanki@SEC.GOV](mailto:hanki@SEC.GOV)>  
**Subject:** Re: SEC v. Xia - FRE 408 - Revision to Proposed Judgment

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Understood.

On Fri, Mar 29, 2024 at 1:44 PM Colorado, Christopher <[coloradoch@sec.gov](mailto:coloradoch@sec.gov)> wrote:

Please let us know when you have the final answer. We would like to get the revised Consent signed and notarized by Richard and Ms. Yue, and, as we did in January, submit a joint letter to the Court requesting additional extensions as soon as possible, so we can complete the recommendation process. Thanks.

---

**From:** Adam Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)>

**Sent:** Friday, March 29, 2024 11:54 AM

**To:** Colorado, Christopher <[coloradoch@SEC.GOV](mailto:coloradoch@SEC.GOV)>

**Cc:** Matthew Aaron Ford <[mford@fordobrien.com](mailto:mford@fordobrien.com)>; Renee Jarusinsky

<[rjarusinsky@fordobrien.com](mailto:rjarusinsky@fordobrien.com)>; Stoelting, David <[StoeltingD@SEC.GOV](mailto:StoeltingD@SEC.GOV)>; Han, Kim <[hanki@SEC.GOV](mailto:hanki@SEC.GOV)>

**Subject:** Re: SEC v. Xia - FRE 408 - Revision to Proposed Judgment

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Thanks, Chris.

F.R.E. 408

Adam

On Fri, Mar 29, 2024 at 11:18 AM Colorado, Christopher <[coloradoch@sec.gov](mailto:coloradoch@sec.gov)> wrote:

**FRE 408**

F.R.E. 408

F.R.E. 408



VI.

**F.R.E. 408**



---

**From:** Adam Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)>  
**Sent:** Friday, March 29, 2024 8:57 AM  
**To:** Colorado, Christopher <[coloradoch@SEC.GOV](mailto:coloradoch@SEC.GOV)>  
**Cc:** Matthew Aaron Ford <[mford@fordobrien.com](mailto:mford@fordobrien.com)>; Renee Jarusinsky <[rjarusinsky@fordobrien.com](mailto:rjarusinsky@fordobrien.com)>; Stoelting, David <[StoeltingD@SEC.GOV](mailto:StoeltingD@SEC.GOV)>; Han, Kim <[hanki@SEC.GOV](mailto:hanki@SEC.GOV)>  
**Subject:** Re: SEC v. Xia - FRE 408 - Revision to Proposed Judgment

**CAUTION:** This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Chris,

F.R.E. 408



On Thu, Mar 28, 2024 at 5:44 PM Colorado, Christopher <[coloradoch@sec.gov](mailto:coloradoch@sec.gov)> wrote:

Sorry, to clarify, Paragraph VI.

---

**From:** Colorado, Christopher  
**Sent:** Thursday, March 28, 2024 5:43 PM  
**To:** Adam C. Ford <[aford@fordobrien.com](mailto:aford@fordobrien.com)>  
**Cc:** Matthew Aaron Ford <[mford@fordobrien.com](mailto:mford@fordobrien.com)>; Renee Jarusinsky

<[rjarusinsky@fordobrien.com](mailto:rjarusinsky@fordobrien.com)>; Stoelting, David <[StoeltingD@SEC.GOV](mailto:StoeltingD@SEC.GOV)>; Han, Kim <[hanki@SEC.GOV](mailto:hanki@SEC.GOV)>  
**Subject:** SEC v. Xia - FRE 408 - Revision to Proposed Judgment

FRE 408

F.R.E. 408



Thanks,

Chris

**Christopher M. Colorado**

Senior Trial Counsel

New York Regional Office

**OFFICE** +1 212-336-9143

**MOBILE** +1 267-734-5374

[ColoradoCh@sec.gov](mailto:ColoradoCh@sec.gov)



**U.S. Securities and  
Exchange Commission**

--

Ford O'Brien Landy, LLP  
275 Madison Avenue, 24th Floor  
New York, NY 10016  
[aford@fordobrien.com](mailto:aford@fordobrien.com)  
(212) 858-0040 (office)  
(646) 479-3810 (mobile)

--

Ford O'Brien Landy, LLP  
275 Madison Avenue, 24th Floor  
New York, NY 10016  
[aford@fordobrien.com](mailto:aford@fordobrien.com)  
(212) 858-0040 (office)  
(646) 479-3810 (mobile)

--

Ford O'Brien Landy, LLP

275 Madison Avenue, 24th Floor

New York, NY 10016

[aford@fordobrien.com](mailto:aford@fordobrien.com)

(212) 858-0040 (office)

(646) 479-3810 (mobile)